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INTERNATIONAL BUREAU OF AMERICAN REPUBLICS
JOHN BARRETT, DIRECTOR
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MUNICIPAL ORGANIZATIONS IN LATIN AMERICA

HAVANA, CUBA

(Reprint of an article from the Monthly Bulletin of the International Bureau of American Republics, April, 1909)

WASHINGTON, D. C.
GOVERNMENT PRINTING OFFICE
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MUNICIPAL ORGANIZATION IN LATIN-AMERICAN CAPITALS

HAVANA.

HAVANA, the "Key of the New World" (*Llave del Nuevo Mundo*), as reads the legend on its coat of arms, was founded on its present site by DIEGO VELASQUEZ in 1519. Better than any other of the Latin-American cities is it known to foreigners. Thousands, not only citizens of the United States but Europeans, who know but little, if anything, of the capitals of the larger Republics of Brazil, Argentina, or Mexico, are familiar with this capital city of the Pearl of the Antilles.

They know the beauty of its situation, the quaintness and charm of its architecture, and the geniality of its welcome. As one approaches from the sea, where the deep blue of the Gulf changes to the pale green of the inshore waters, the city comes into view, lying like a great carpet of rich oriental colors fringed around by the mottled dark green of the hills behind, fading away to right and left into a lighter green and then into a blue.

The entrance to the harbor is a narrow cut of less than 400 yards in an almost straight shore line. The city, with its yellow and white houses with red-tiled roofs, lies to the right of the entrance. On the left and jutting out a little into the Gulf is the picturesque light-house and fortifications of the Moro. On the right, at the city's extreme point, is the fort of La Punta. The harbor within the entrance is a roughly shaped quadrangle over 2 miles wide. On the harbor front is La Fuerza, the old stronghold of the city.

The architecture of Havana is heavy and massive. Even to one accustomed to the Spanish-American type the houses of Havana seem remarkably solid and heavy. The building material is a peculiar loose-textured seashell conglomerate of a glaring white color called *cantera*. It is similar to the *coquina* of St. Augustine, in Florida, but heavier and more compact. It is hewn out with axes and sawed into great blocks. After exposure to the air it becomes harder. The walls in Havana are nearly always plastered or stuccoed, variously colored. The colors are yellow, white, light gray,

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(Miller Photo.)

VIEW OF HAVANA AND THE WATER FRONT FROM CABAÑA FORTRESS.

Cabaña Fortress is situated on a hill that rises almost perpendicularly to the height of 100 feet and commands a fine view of the city, harbor, and surrounding country.

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grayish blue, and deep red. The surfaces are frequently very ornate with frescoing, moldings, and imitated jointings. In the older parts of the city are the projecting Moorish gratings covering the windows.

The President's palace, formerly the home of the governor-general, is one of the finest buildings in the city. It was built in 1834 and occupies an entire block on the Plaza de Armas and near the harbor front. The palace contains the mayor's office and the hall of the city council and other offices of the city government, as well as the residence apartments of the President.

The cathedral, a block away from the palace, is one of the show buildings of Havana. It was built in 1704 and occupies the site of an older church. Other of the more important churches are San Au-

THE NEW PRODUCE EXCHANGE BUILDING IN THE CITY OF HAVANA—IT COST $600,000 GOLD AND WAS OPENED IN MARCH, 1909.

gustin, built in 1608, and now the oldest church in the city. Santa Catalina, built in 1698, and Santo Domingo, formerly a monastery of the dominican fathers. La Merced, the largest, wealthiest, and most aristocratic church, was built in 1746 and rebuilt in 1792. Its interior is richly decorated. El Templete, the memorial chapel, built on the spot, under a ceiba tree, where the first mass was said by the priests accompanying Diego de Valasquez in 1519, was dedicated in 1828.

The most interesting points in Havana are the parks and paseos. The three principal parks are: Columbus Park, now an attractive pleasure place, with fountains playing among tropical plants and flowers; La India Park, containing the famous statue of the Indian

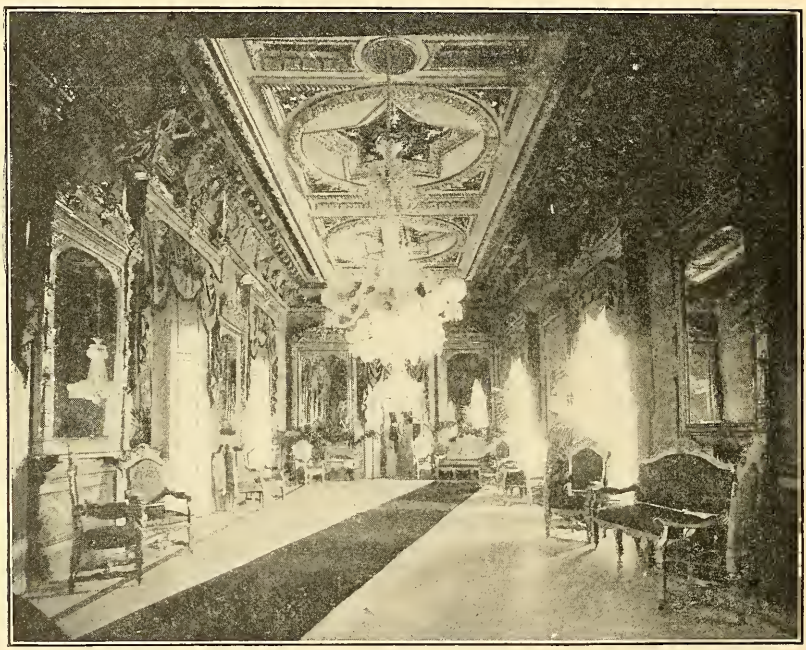
THE PRESIDENT'S PALACE, HAVANA.

The President's Palace, formerly the Palace of the Governor-General, was built in 1834, and is one of the finest edifices of the Cuban capital. The main entrance, facing the Plaza de Armas, is of richly carved marble, and in the beautiful interior garden or court stands a famous statue of Columbus. This building has been the scene of many stirring events in the national life.

woman after which the park is named, and Central Park, surrounded by clubs and hotels, the place of concerts and the center of Havana's social life.

The first comprehensive municipal law in Cuba was the royal decree of July 27, 1859.

Municipalities under the operation of this law were governed by a board of aldermen, presided over by a president who, in Havana, was generally the civil governor of the province. Theoretically the board was autocratic in character, but the real power rested with the president. The board, elected by popular suffrage of all quali-



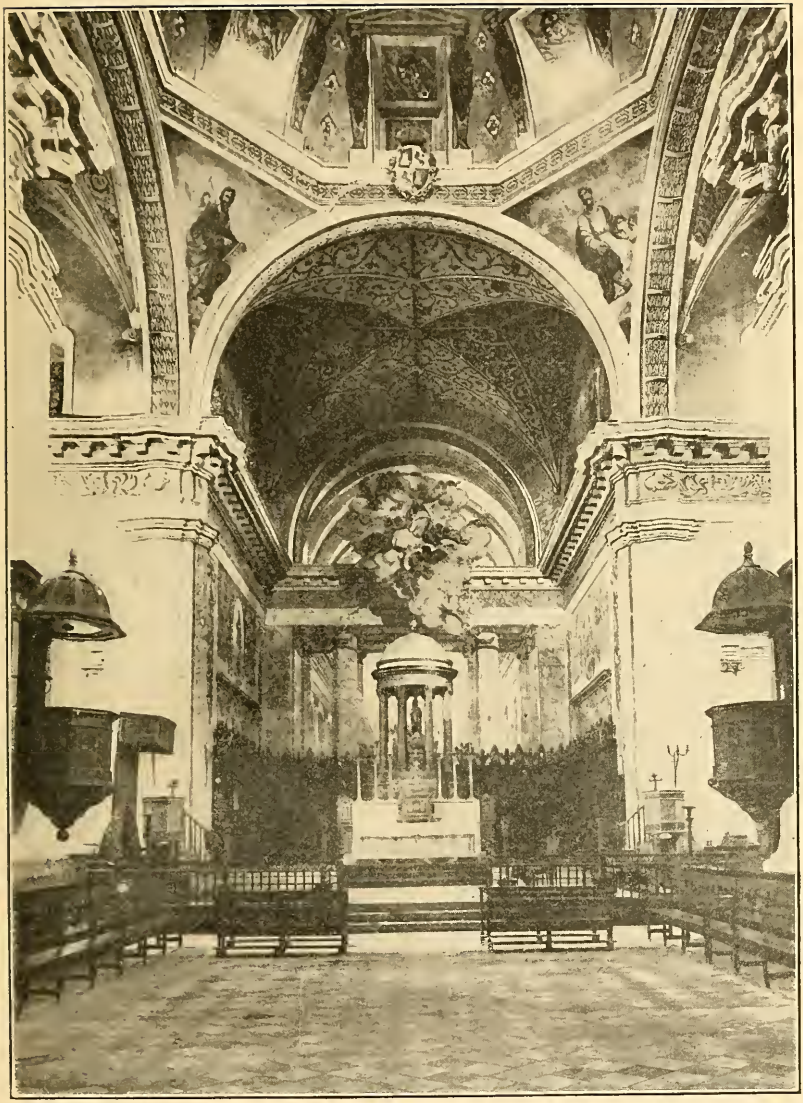
(Miller photo.)

RED OR THRONE ROOM OF THE PALACE, HAVANA.

This is one of the three rooms which comprise the State reception rooms, and Señora Gomez, the President's wife, utilizes it in receiving her guests. Among the crimson upholstered chairs in the room is one which is surmounted by a gilt crown. It was formerly the throne chair, and stood on a dais in this room. Back of the throne room is the Palace chapel.

fied voters, was, in effect, a council of advisers to the president, registering as ordinances such laws as he, acting under the Governor-General of Cuba, thought proper to enact. Differing with the theory in vogue in the United States, that legislative and executive functions ought to be exercised by different instrumentalities, in Cuba these functions were joined in the same body. The board, and that was to say its president, was both legislature and executive of the city.

Subsequent modifications of the law, until recently, did not change this essential feature thereof.



(Miller Photo.)

INTERIOR OF THE COLUMBUS CATHEDRAL, HAVANA.

The Cathedral has long been popularly known as the Columbus Cathedral, but the name is "Cathedral of the Virgin Mary of the Immaculate Conception," and it was erected on the site of another church by the Jesuits in 1704. The interior walls are finished in dark marbles, the columns of highly polished mahogany, with gilt-bronze capitals, the choir stalls of mahogany, beautifully carved. The high altar is of Carrara marble. The walls and ceiling contain many beautiful paintings, and the Cathedral is said to contain a small painting by Murillo, representing the Pope and the Cardinals celebrating mass preparatory to the sailing of Columbus.

By the royal decree of November 25, 1863, the superior civil government of Havana was created. In effect the decree was an amplification of the law of 1859. The decree of January 30, 1866, changed certain functions of the board and regulated the position of the civil governor in his double capacity of governor of the province and president of the board.

The Constitution of Spain, dated July 2, 1876, was not fully proclaimed in Cuba until April 7, 1881, but the organic municipal law of Spain was extended to the island by royal decree of October 2, 1877. Some modifications in the Spanish law were made as applicable especially to Cuba. These modifications referred to the number of

(Miller photo.)

LETTER CARRIERS IN HAVANA.

The mail service in Cuba is conducted by the Department of Communications, which also has under its supervision the telegraph system of the Government. There is free delivery of mail in the larger cities. The Department also conducts a parcels-post system for the carrying of small packages through the mails.

aldermen of each board and to the powers of the Governor-General in appointing mayors. Under it each mayor was appointed by the Governor-General from three nominees presented by the board; although the Governor-General might, if he saw fit, disregard the list furnished by the board. Assistant mayors were appointed in the same manner, except that the appointee must be a member of the board.

The reform law of March 15, 1895, proclaimed on the 23d of that month, was a more or less substantial gain for the democratic idea, although the essential structure of Spanish municipal organization and government was not changed thereby. By virtue of this law

(Miller Photo.)

THE MALECON, HAVANA, DURING THE CARNIVAL SEASON.

The malecon is a massive sea wall overlooking the harbor of Havana and Morro Castle. In the park to the rear is a music pavilion, in the Ionic style, of great architectural beauty. During the carnival festivities the walks and driveways are thronged with merrymakers, and the houses in the vicinity are crowded with spectators.

each board of aldermen elected one of its members as mayor. The Governor-General might, after a hearing, remove the mayor and make a new appointment, but the new mayor could be chosen only from among the members of the board. In addition to their functions as executive officers of the boards the mayors were representatives and delegates of the Governor-General.

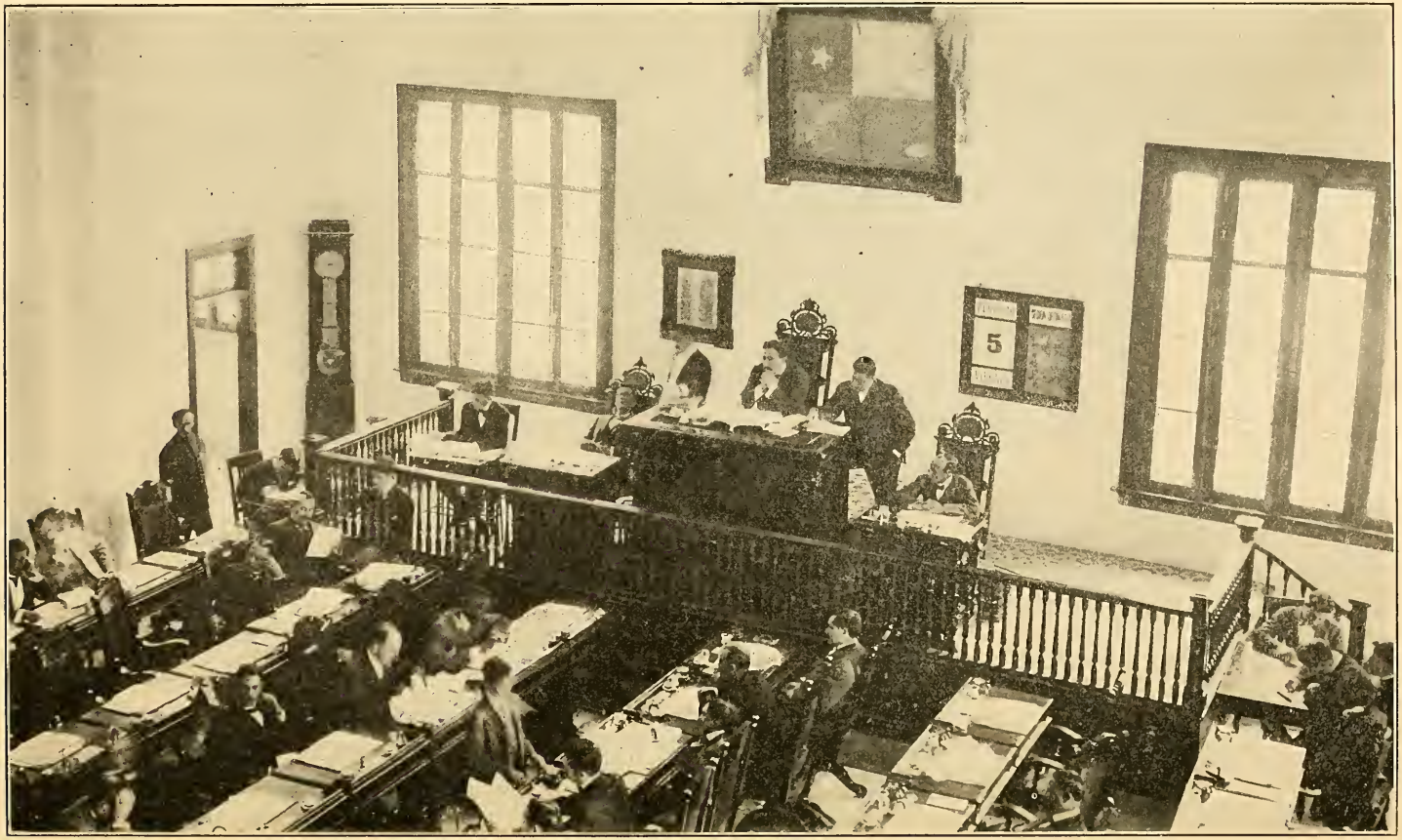
The Governor-General had always possessed the power to stay any ordinance of the board, in effect to veto it. By the terms of the reform law this power was limited. If there were charges of corruption in the passage of the ordinance, the Governor-General laid the matter before the criminal court. If, however, the contention was that the board had exceeded its powers or had infringed the organic law, the matter was for the consideration of the provincial governor and assembly. In the latter case, provincial governors might themselves take the initiative for the stay of an ordinance claimed to be *ultra vires*.

In matters of revenue and taxation an appeal lay from the action of the municipal board to the provincial assembly, and a final appeal for the assembly to the council of administration presided over by the Governor-General. This council consisted of 30 members, one half of whom were elected.

Throughout the whole period of Cuba's colonial history the real government of the municipalities of the island, not only on the administrative side but also on the deliberative or legislative side, was in the hands of the Governor-General of Cuba, acting through agencies directly responsible to him and dependent on him.

The present constitution of the Republic of Cuba of February 21, 1901, fundamentally changes the underlying theory of municipal government in the island and approaches somewhat the practice in the United States. In particular, legislative and executive functions are separated. The former are exercised by municipal councils elected by direct vote of all qualified voters, and the latter by mayors, or as they are called in Spanish-speaking countries alcaldes, elected in the same manner as the councils. By the provisions of the constitution (articles 103 to 113) the municipal council has legislative control of all matters relating exclusively to the municipal district. It prepares budgets of expenses and provides the revenues to meet the same. It contracts loans and votes the necessary revenues. It appoints and removes municipal employees. The alcalde has the right of veto as to the resolutions of the council, but the resolution, after deliberation thereon, may be passed over the alcalde's veto and become effective by a two-thirds vote of the council.

Resolutions of municipal councils may be suspended by the alcalde, the provincial governor, or the President of the Republic whenever,



(Miller Photo.)

THE CUBAN HOUSE OF REPRESENTATIVES IN SESSION AT HAVANA.

The view shows the Lower House in session February 5, 1909. The sessions are now held in a temporary building, but a new Hall of Representatives has been planned. Congressmen must be Cuban citizens, not under 25 years of age, and a representative is chosen for every 25,000 inhabitants or fraction thereof.

in their judgment, these are contrary to the constitution, treaties, or the general law. The right to take cognizance and pass upon claims arising out of such suspensions is reserved to the courts.

Alcaldes have general administrative powers and appoint and remove the employees of their own office.

The present organic municipal law, enacted in pursuance of the constitution was decreed on May 19, 1908, to go into effect upon the taking of office by the alcaldes and councilmen elected under the electoral law of April 1, 1908. The law is the work of a special commission appointed to draft the same, composed of Messrs. E. H. Crowder, Rafael Montoro, Felipe G. Sarraín, Juan Gualberto Gómez, Blanton Winship, Miguel F. Viondi, F. Carrera Justiz, M. M. Coronado, Mario G. Kohly, Otto Schoenrich, Erasmo Regüeiferos, and Alfredo Zayas.

This commission was appointed on December 24, 1906, and its report embodying the first draft of the law was published on January 27, 1908, and distributed to all officials, political parties, newspapers, and private persons requesting the same, inviting them within thirty days to submit any criticisms and objections to the draft that they might deem proper. These criticisms and objections were considered by the commission and a final draft of the law was submitted on May 8, 1908. This draft was in the form as finally decreed eleven days later and first published in the Gaceta Oficial for May 29.

The new law is most comprehensive. It recognizes fully the constitutional division of legislative and executive powers, and also the dual capacity of municipal government, acting locally, and as auxiliary to the central power of the state; but it does not confuse these last two functions as was the case under the old colonial laws.

Municipalities are divided into three classes: First, those having a population of over 100,000 inhabitants; second, those having from 20,000 to 100,000; third, those having 20,000 or less.

Havana, of course, is a city of the first class. Its municipal council consists of 27 members elected for four years, one-half alternately each two years. Councilmen serve without pay and can not be removed except after final judgment of a court of competent jurisdiction convicting them of some offense which by the law is a disqualification to holding public office. The officers of the council, a president, vice-president, and two secretaries, are chosen every two years following the municipal elections. Permanent and special committees are chosen from among the councilmen, and to any of these committees, except the finance committee and the tax committee, are added by vote of the council an equal number of private citizens, one-half of whom may be foreigners, as associate members having

OBISPO STREET, HAVANA.

One of the principal streets of the older shopping districts of Havana, so narrow that wheeled vehicles are only allowed to pass in one direction. The buildings have heavy cornices and overhanging balconies. Signs are often suspended across the street, and during mid-day awnings are stretched from roof to roof, covering the street and producing the subdued light of a huge bazaar.

BALLROOM IN THE CLUBHOUSE OF THE BUSINESS CLERKS' ASSOCIATION, HAVANA.

The Association of Havana Business Clerks was founded in 1880 to care for the sick and provide instruction and recreation for its members, who now exceed 25,000 in number and whose handsome clubhouse is on the Prado north of Central Park. One flower ball and four carnival balls are given annually in the magnificent white marble clubhouse.

THE TEMPLETE (CHAPEL), HAVANA.

The chapel, which was dedicated with great pomp in 1828, in commemoration of the first mass said in Havana in 1519, contains three celebrated paintings by Escobar. The bust of Columbus in the court was Vanderlyn's model for the central figure in his painting of the "Landing of Columbus," which hangs in the Rotunda of the Capitol at Washington.

the same right to vote on committee matters as have the council members.

Mayors or alcaldes are elected for four years and are paid a salary. In the absence or disability of the mayor the president of the council acts in his stead. The mayor is the head of the civil administration of the city and is assisted in minor affairs by ward or barrio mayors elected by the municipal council. These barrio mayors are exceedingly important officials and perform functions elsewhere exercised by numerous bureaus and officials. In Havana they are the direct medium of communication between the inhabitants of their respective barrios and the higher authorities. They keep a register of licenses, enforce orders and regulations, and report violations of the same. They are charged with the care of streets and highways and of the poor. They issue permits for burial of paupers and tickets for medical attendance to the needy. They overlook all public services, reporting interruptions and accidents and also the enforcement of the truant laws for children of school age. On occasions they may even act as collectors of taxes.

An important provision of the new law is that limiting the proportion of expenditures for municipal government which may be allotted as salaries to the personnel of the administration. This limitation runs from 50 per cent in small towns, having a budget not exceeding $10,000, down to 10 per cent where the budget is from $500,000 to $1,000,000, and 9 per cent where it is over $1,000,000.

In no case can expenditures exceed revenues.

Loans can not be contracted except for public works or public services upon special resolution of the municipal council and approved by a popular vote of two-thirds of the voters.

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